

## **REMARKS**

Claims 1, 2, 4, 5, 7-10, 12-16 and 18-30 are pending in this application. By this Amendment, claims 1 and 25 are amended, and new claim 30 is added.

No new matter is added to the application by this Amendment. New claim 30 and the features added to claims 1 and 25 find support in Figs. 1 and 2b of the present application, and within the present specification, as originally filed, at, for examples, page 5, lines 32 and 33 and page 7, lines 15, 16 and 24

Reconsideration of the application is respectfully requested.

### **I. Rejection Under 35 USC 102**

Claims 1, 2, 4-10, 12-14, 18, 20-26, 28 and 29 were rejected under 35 USC 102(b) as allegedly being anticipated by US Patent No. 4,869,849 to Hirose et al. (hereinafter "Hirose"). This rejection is respectfully traversed.

The Patent Office alleges that Hirose teaches or suggests each and every feature recited in the foregoing claims. Applicants respectfully disagree with the allegations by the Patent Office.

The Patent Office alleges that Hirose discloses first and second feed channels because Hirose discloses reference numbers 6, 6 as shown in Fig. 4 (which was cited by the Patent Office). Contrary to the Patent Office's allegations, Hirose's reference numbers 6, 6 (shown at the left and right edges of the circular disc-shaped pressure plates 7 in Fig. 4) actually represent many tiny holes 6, 6 in the circular disc-shaped pressure plates 7 as shown in Figs. 1, 2A, 2B and 4. Applicants submit that Hirose's many tiny holes 6, 6 formed in a generally annular band around the pressure plates 7

do not teach or suggest first and second feed channels as specifically defined in the present claims.

Amended claim 1 requires that the at least one slotted plate is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels. Amended claim 25 requires that the at least one slotted plate is located between the aperture plate and the first and second feed channels and arranged above the first and second feed channels.

Hirose's alleged first and second feed channels (tiny holes 6, 6) are located at a top side of Hirose's apparatus and are adjacent to Hirose's alleged aperture plate as shown in the markup of Hirose's Fig. 4 on page 2 of the present Office Action (hereinafter "the Patent Office's markup"). Further, Hirose's alleged slotted plates are arranged below: (1) the alleged first and second feed channels (tiny holes 6, 6); and (2) the alleged aperture as shown in the Patent Office's markup.

Thus, Hirose fails disclose at least one slotted plate that is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels as required by amended claims 1 and 25.

Because the above-identified features of independent claims 1 and 25 are neither taught nor suggested by Hirose, Hirose cannot anticipate, and would not have rendered obvious, the features specifically defined in claims 1 and 25 and their dependent claims.

For at least these reasons, claims 1, 2, 4-10, 12-14, 18, 20-26, 28 and 29 are patentably distinct from and/or non-obvious in view of Hirose. Reconsideration and

withdrawal of the rejection of the claims under 35 USC 102(b) are respectfully requested.

## **II. Rejections Under 35 USC 103**

### **A. Hirose**

Claims 15, 16, 19, 26 and 27 were rejected under 35 USC 103(a) as allegedly being unpatentable over Hirose. This rejection is respectfully traversed.

The Patent Office alleges that Hirose teaches or suggest the features of the foregoing claims. Applications respectfully disagree with the Patent Office.

Claims 15, 16, 19 and 26 depend from claim 1, and claim 27 depends from claim 25. And as discussed above with respect to the rejection under 35 USC 102(b), Hirose fails to teach or suggest the specific features recited in amended claims 1 and 25. Specifically, Hirose does not teach or suggest at least one slotted plate that is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels as required by amended claims 1 and 25.

Because the above-identified features of independent claims 1 and 25 are neither taught nor suggested by Hirose, Hirose would not have rendered obvious, the features specifically defined in claims 1 and 25 and their dependent claims.

For all the foregoing reasons, Applicants respectfully submit that Hirose would not have led one of ordinary skill in the art to the required features of claims 15, 16, 19, 26 and 27. Reconsideration and withdrawal of this rejection are respectfully requested.

**B. Hirose in view of Lowe et al.**

Claims 8 was rejected under 35 USC 103(a) as allegedly being unpatentable over Hirose in view of U.S. Patent Publication No. 2004/0027915 to Lowe et al. (hereinafter "Lowe"). This rejection is respectfully traversed.

The Patent Office alleges that the combination of Hirose and Lowe teach or suggest the features of claim 8. Applicants respectfully disagree with the allegations of the Patent Office.

Applicants submit that Lowe fails to remedy the deficiencies of Hirose with respect to claim 1, from which claim 8 directly depends, because Lowe also fails to teach or suggest at least one slotted plate that is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels as required by claim 1.

Hirose and Lowe, taken singly or in combination, fail to teach or suggest that at least one slotted plate is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels as required by claim 1.

Because the above-identified features of independent claim 1 are neither taught nor suggested by Hirose and Lowe, taken singly or in combination, these references would not have rendered obvious, the features specifically defined in claim 1 and its dependent claims.

For all the foregoing reasons, Applicants respectfully submit that Hirose and Lowe would not have led one of ordinary skill in the art to required features of claim 8. Reconsideration and withdrawal of this rejection are respectfully requested.

**C. JP 2002-346352**

Claims 1, 2, 4, 5, 7, 9, 10, 12-16 and 18-29 were rejected under 35 USC 103(a) as allegedly being unpatentable over JP 2002-346352 (hereinafter "JP 352"). This rejection is respectfully traversed.

The Patent Office acknowledges that JP 352 does not disclose a feed channel above the aperture plate 11 and being overlapping with the slot opening 12 of 10b (see page 8 of the present Office Action). The Patent Office alleges that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide multiple stacks of the configuration of JP 352, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. Moreover, the Patent Office alleges that the provision of multiple stacks would thereby provide feed channels which are overlapped with the slot opening and the structural configuration as required by the instant claims. Applicants respectfully disagree with the allegations of the Patent Office.

JP 352 fails to teach or suggest at least one slotted plate that is arranged above the first and second feed channels and located between the aperture plate and the first and second feed channels as required by amended claims 1 and 25.

Because the features of independent claims 1 and 25 are not taught or suggested by JP 352, JP 352 would not have rendered the features of claims 1 and 25 obvious to one of ordinary skill in the art.

For at least these reasons, claims 1, 2, 4, 5, 7, 9, 10, 12-16 and 18-29 are patentable over JP 352. Thus, withdrawal of the rejection under 35 USC 103(a) is respectfully requested.

**III. New claim 30**

Applicants take this opportunity to submit that none of the cited references, taken singly or in combination, teaches or suggests a static lamination micro-mixer having a at least one slotted plate that is arranged directly above the first and second feed channels as recited in new claim 30.

For at least these reasons, claim 30 is patentably distinct and non-obvious in view of the cited references.

**IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 4, 5, 7-10, 12-16 and 18-30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Early and favorable action is earnestly solicited.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account  
No. 14-1263.

Respectfully submitted,  
NORRIS MCLAUGHLIN & MARCUS, P.A.

By       /Brian C. Anscomb/        
Brian C. Anscomb  
Reg. No. 48,641  
875 Third Avenue, 8<sup>th</sup> Floor  
New York, New York 10022  
Phone: (212) 808-0700  
Fax: (212) 808-0844